

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SEDRICK DEWAYNE ALTHEIMER,

Plaintiff,

v.

PIERCE COUNTY, WASHINGTON, and  
PIERCE COUNTY SHERIFF EDWARD C.  
TROYER, (a/k/a Ed Troyer), in his individual  
and official capacity,

Defendants.

Case No. 2:21-cv-01437-RSM

**PLAINTIFF'S STATUS  
REPORT RE: CRIMINAL  
CASE**

COME NOW Plaintiff Sedrick Dewayne Altheimer, by and through his counsel of record, and pursuant to the Court's Order Granting Defendant Troyer's Motion to Stay, hereby advises the Court of the status of Defendant Troyer's parallel criminal case pending in Pierce County District Court.<sup>1</sup> The parties were unable to agree on joint language to provide the status of the criminal case to the Court and have, therefore, filed separate reports.

The Parallel Criminal Case: On or about October 19, 2021, the State of Washington charged Defendant Troyer with two gross misdemeanors: (1) false reporting; and (2) making a false statement to a public servant. The State filed the criminal action in Pierce County District Court

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<sup>1</sup> Dkt. 18.

1 where it is assigned Cause No. 1AC002225.<sup>2</sup> Kitsap County District Court Judge Jeffrey J. Jahns  
 2 has been assigned to preside over the Parallel Criminal Case. On May 6, 2022, Judge Jahns granted  
 3 Defendant Troyer's motion to continue the trial date for the Criminal Case from July 11, 2022 to  
 4 October 31, 2022.

5 On June 6, 2022, the Pierce County District Court entered an Anti-Harassment Protection  
 6 Order against Defendant Troyer for acts the Court deemed harassment of Plaintiff Alzheimer, Case  
 7 No. 2A60211A. On July 1, 2022, Judge Jahns imposed bail for Defendant Troyer in the amount of  
 8 \$100,000.00 in the Criminal Case citing the Court's concerns about issues raised in the Anti-  
 9 Harassment Petition and Order.

10 The Present Lawsuit: On September 27, 2021, Plaintiff filed the present lawsuit in King  
 11 County Superior Court.<sup>3</sup> Defendant Pierce County, Washington removed the matter to the United  
 12 States District Court for the Western District of Washington.<sup>4</sup>

13 Shortly thereafter, Defendant Troyer moved to stay all proceedings in this case, arguing that  
 14 both cases arise out of the same incident and alleged facts, the risk of deprivation of Defendant  
 15 Troyer's Fifth Amendment due process rights is substantial, and that Plaintiff will not be unduly  
 16 prejudiced by a stay.<sup>5</sup> Defendant Pierce County, Washington joined Defendant Troyer's Motion to  
 17 Stay.<sup>6</sup> Plaintiff did not oppose Defendants' request for that first stay but asked the Court to set a trial  
 18 date for April 3, 2023.<sup>7</sup>

19 This Court granted Defendant Troyer's Motion to Stay on January 11, 2022.<sup>8</sup> In its Order,  
 20 the Court directed the parties to advise the Court of the status of the Criminal Case at the earlier of  
 21 its full adjudication or August 1, 2022.

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 23 <sup>2</sup> Pierce County District Court Cause No. 1AC002225, *State of Washington v. Edward C. Troyer, Jr.*, is referred to  
 24 as the "Parallel Criminal Case."

25 <sup>3</sup> Dkt. 1-1.

26 <sup>4</sup> Dkt. 1.

<sup>5</sup> Dkt. 12.

<sup>6</sup> Dkt. 15.

<sup>7</sup> Dkt. 16.

<sup>8</sup> Dkt. 18.

1 The Parallel Criminal Case remains open and pending due to Defendant Troyer's request for  
2 a continuance. Plaintiff agrees that Defendants' request that the Court extend the stay only until such  
3 time as the Parallel Criminal Case now scheduled for October 31, 2022, is tried.

4 Because of the Defendant Troyer's on-going harassment of Plaintiff Alzheimer and the  
5 danger from any further harassment, Plaintiff requests that this Court stay the proceedings only until  
6 the October 31, 2022 trial of the Criminal Case concludes. Plaintiff requests that the Court order  
7 that discovery commence no later than November 25, 2022. Plaintiff Alzheimer opposes any stays  
8 of the proceedings in this matter beyond November 25, 2022.

9  
10 DATED this 1st day of August 2022.

11 By: /s/ Susan B. Mindenbergs

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2022, the undersigned caused a true and correct copy of the foregoing document to be served in the manner indicated below upon the following individual(s):

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*Attorneys for Defendant Edward C. Troyer*

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☐ Electronic Mail  
☐ USPS First Class Mail  
☐ UPS Shipping  
☒ CM/ECF

The foregoing statement is made under the penalty of perjury under the laws of the State of Washington and is true and correct.

DATED this 1st day of August 2022.

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